

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SHIV PATEL, JAMIE POSNER, and BRIAN
GALLAGHER, on behalf of themselves and other
individuals similarly situated,

Plaintiffs,

-against-

ST. JOHN'S UNIVERSITY,

Defendant.
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NOTICE OF MOTION

Docket No. 1:20-cv-2114 (LDH)
(CLP)

Oral Argument Requested

PLEASE TAKE NOTICE that, upon the Declaration of Joshua S. Hurwit, dated September 14, 2021, and the Exhibits annexed thereto; the Declaration of Michael J. Keane, dated September 15, 2021, and the Exhibit annexed thereto; the accompanying Memorandum of Law, dated September 15, 2021; and upon all the pleadings and proceedings heretofore had herein, Defendant St. John's University will move this Court, before the Honorable LaShann DeArcy Hall, United States District Judge, of the United States District Court, Eastern District of New York, located at 225 Cadman Plaza East, Brooklyn, New York, 11201, on the 1st day of November, 2021, or as soon thereafter as counsel may be heard, for an Order, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the Consolidated Complaint in its entirety, with prejudice, and granting such other and further relief as the Court deems, equitable, just, or proper.

Dated: Great Neck, New York
September 15, 2021

GARFUNKEL WILD, P.C.
Attorneys for Defendant St. John's University

By: /s/ Michael J. Keane
Michael J. Keane
Dayna B. Tann
Anthony Prinzivalli
111 Great Neck Road
Great Neck, New York 11021
(516) 393-2200

TO: Jason P. Sultzer, Esq.
Mindy Dolgoff, Esq.
THE SULTZER LAW GROUP
Attorneys for Plaintiffs
85 Civic Center Plaza, Suite 200
Poughkeepsie, NY 12601

Michael Tompkins, Esq.
Brett R. Cohen, Esq.
LEEDS BROWN LAW, P.C.
Attorneys for Plaintiffs
One Old Country Road, Suite 347
Carle Place, New York 11514

Jeremy Bradford Francis, Esq.
GANFER SHORE LEEDS & ZAUDERER
Attorneys for Plaintiffs
360 Lexington Avenue
New York, New York 10017

Roy T. Willey, IV, Esq.
Eric M. Poulin, Esq.
Blake G. Abbott, Esq.
ANASTOPOULO LAW FIRM, LLC
Attorneys for Plaintiffs
32 Ann Street
Charleston, South Carolina 29403

Peter B. Katzman, Esq.
John M. Bradham, Esq.
MOREA SCHWARTZ BRADHAM FRIEDMAN & BROWN LLP
Attorneys for Plaintiffs
444 Madison Avenue, 4th Floor
New York, New York 10022

Edward G. Toptani, Esq.
TOPTANI LAW PLLC
Attorneys for Plaintiffs
127 East 59th Street - Third Floor
New York, NY 10022